

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

☒ Applicants **BRAD BAKER**☐ Application No.☐ Filed on☐ Patentee \_\_\_\_\_☐ Patent No. \_\_\_\_\_☐ Issued on \_\_\_\_\_Title: **PAINT SET CONFECTIONERY****STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:
- ☒ an official of the small business concern empowered to act on behalf of the concern identified below:

Name of Small Business Concern IMPACT CONFECTIONS, INC.

Address of Small Business Concern 888 Garden of the Gods Road

Colorado Springs, Colorado 80907

I hereby state that the above identified small business concern qualifies as a small business concern, as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office under Sections 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third-party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to, and remain with, the small business concern identified above, with regard to the invention described in

- ☒ the specification filed herewith, with title as listed above.
- ☐ the application identified above.
- ☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights in the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c), if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*\*NOTE: Separate statements are required from each named person, concern or organization having rights to the invention as to their status as small entities. (37 CFR 1.27)*

008290-ET-0950

Each such person, concern or organization having any rights in the invention is listed below:

- ☒ No such person, concern, or organization exists.  
☐ Each such person, concern or organization is listed below.

Name \_\_\_\_\_

Address \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

Name \_\_\_\_\_

Address \_\_\_\_\_

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b))

(check the following item, if desired)

NOTE: The following verification statement need not be made in accordance with the rules published on Oct. 10, 1997, 62 Fed. Reg. 52,131, effective Dec. 1, 1997.

NOTE: "The presentation to the Office (whether by signing, filing, submitting, or later advocating) of any paper by a party, whether a practitioner or non-practitioner, constitutes a certification under § 10.18(b) of this chapter. Violations of § 10.18(b)(2) of this chapter by a party, whether a practitioner or non-practitioner, may result in the imposition of sanctions under § 10.18(c) of this chapter. Any practitioner violating § 10.18(b) may also be subject to disciplinary action. See §§ 10.18(d) and 10.23(c)(15)." 37 CFR § 1.4(d)(2).

☒ I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Person Signing \_\_\_\_\_ Brad Baker

Title of Person if Other Than Owner \_\_\_\_\_ President

Address of Person Signing \_\_\_\_\_ 888 Garden of the Gods Road

\_\_\_\_\_ Colorado Springs, CO 80907

SIGNATURE

Brad Baker

Date

6-20-00

Docket No.  
30687-US

# Declaration and Power of Attorney For Patent Application

## English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled  
**PAINT SET CONFECTIONERY**

the specification of which

(check one)

☐ is attached hereto.

☒ was filed on December 2, 1999 as United States Application No. or PCT International  
Application Number PCT/US99/28550  
and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

PCT/US99/28550

PCT

02/12/1999

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

008290" ETE 20960

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

60/110,675

December 2, 1998

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)  
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

**Brian J. Pangrle, Reg. No. 42,973**

Send Correspondence to: **Brian J. Pangrle**  
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**Brian J. Pangrle (505) 998-1505**

Full name of sole or first inventor  
**Brad Baker**

Sole or first inventor's signature  


Date  
**6-20-00**

Residence  
**Colorado Springs, Colorado**

Citizenship  
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Post Office Address  
**888 Garden of the Gods Road**

**Colorado Springs, Colorado 80907**

Full name of second inventor, if any

Second inventor's signature

Date

Residence

Citizenship

Post Office Address

003290"ETL0960

PATENT APPLICATION

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 via EL5101210090S on the date indicated below, addressed to the Box Patent Application, Commissioner for Patents, Washington, D.C. 20231.

Stacy E. Jenkins  
Stacy E. Jenkins, Paralegal

6/28/00  
Date Signed

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Brad Baker	:
Serial No.:	UNKNOWN	: Attorney Docket No.: 30687-US
Filed:	Herewith	: Anticipated Group Art Unit: UNKNOWN
For:	PAINT SET CONFECTIONERY	:

ASSOCIATE POWER OF ATTORNEY

**Box: PATENT APPLICATION**  
Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Brian J. Pangre, a principal attorney in the above-identified application for Letters Patent, hereby appoints:

Deborah A. Peacock	Reg. No. 31,649
Jeffrey D. Myers	Reg. No. 35,964
Paul Adams	Reg. No. 21,096
Rod D. Baker	Reg. No. 35,434
Stephen A. Slusher	Reg. No. 43,924 and
Andrea L. Mays	Reg. No. 43,721

as associate attorneys with full power.

Respectfully submitted,

Date: 6/28/00



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